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GOVERNOR

STATE OF MAINE  
DEPARTMENT OF MARINE RESOURCES  
21 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0021

PATRICK C. KELIHER  
COMMISSIONER

## Shellfish Harvesting Area Classification-Notification of Changes

August 30, 2012

Ladies and Gentlemen:

Under the authority of Maine statute 12 M.R.S.A., Chapter 607, Section 6172; the Commissioner has made the following status change to Area No. 40, Northern Morgan Bay (Surry), Union River Bay, Patten Bay and Heath Brook (Surry, Ellsworth, Trenton) and Goose Cove (Trenton): This notice reclassifies portions of Goose Cove, Trenton from restricted to approved and conditionally approved on season in Goose Cove, Trenton; due to water quality meeting the approved standard. All existing pollution and red tide/psp closures remain in effect.

The boundary descriptions of the area are as follows (struck text is being removed and underlined text is being added):

- A. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of the following areas:
1. Patten Bay, Union River (Surry, Ellsworth, Trenton): inside and north of a line beginning at a red painted post located 500 yards south of Bluff Point, Trenton, extending northwest to a red painted post on the most southern prominence of the east side of Contention Cove, Surry, then running west approximately 980 yards across Patten Bay to the tip of Poignant Point, Surry closing the upper end of Patten Bay and all of Flood Stream.
  2. Heath Brook Cove, (Trenton): inside and east of a line beginning at a red painted post located on the south shore of the cove (approximately 320 yards west of where State Route 230 crosses Heath Brook), then extending north to a red painted post on the north shore of the mouth of the cove (approximately 430 yards northwest of where State Route 230 crosses Heath Brook).
  3. Northern Morgan Bay (Surry): inside (north) of a line that starts at the first set of wooden steps on the west shore of Morgan Bay, Surry approximately 310 yards from the "Cross Road" at approximate position 44.453 North and 68.482 West and extends northeast 240 yards to the first set of stone steps on the eastern shore of Morgan Bay, Surry approximate position 44.454 North and 68.479 West.
- B. Effective immediately, because of non-point source pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of Goose Cove, (Trenton), north of a line beginning at a red painted post ~~located on the northeast shore of Goose Cove approximately 550 yards out from the head of Goose Cove, then running west to a red painted post located on the western shore of the cove, approximately 500 yards out from the head of Goose Cove~~ located on the eastern shore of Goose Cove approximately 375 yards southeast from the mouth of McFarland Brook then running west approximately 300

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yards to a red painted post located on the western shore of the cove approximately 300 yards southwest from the mouth of McFarland Brook. This area is classified as "Conditionally Approved", and shall be closed to the harvest of clams, quahogs, oysters or mussels from May 1 through September 30.~~restricted and harvest requires a special MDMR permit.~~

- C. Effective immediately, because of proximity to a WWTP the shores, flats and waters of Union River Bay and Patten Bay (Surry, Ellsworth, Trenton), (north) of a line beginning at the southeast tip of Burnt Point on Newbury Neck, Surry and running northeast to a red painted post at the south prominence of Oak Point, Trenton; AND west of a line beginning at a red painted post located on the south shore of Heath Cove (approximately 350 yards west of where State Route 230 crosses Heath Brook), then extending north to a red painted post on the north shore of the mouth of Heath cove (approximately 450 yards northwest of where State Route 230 crosses Heath Brook); AND south of a line beginning at a red painted post located 500 yards south of Bluff Point, Trenton, extending northwest to a red painted post on the most southern prominence of the east side of Contention Cove, Surry, then running west approximately 980 yards across Patten Bay to the tip of Poignant Point, Surry have been classified as "Conditionally Approved," and it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels following a malfunction/CSO event of the Ellsworth Wastewater Treatment Plant. This area is currently **OPEN**.

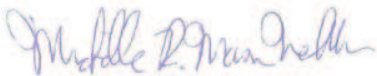
If you have questions, please contact Kohl Kanwit, Department of Marine Resources, 194 McKown Point Road, West Boothbay Harbor, Maine 04575-0008, Tel: (207) 633-9535, Email: [Kohl.Kanwit@maine.gov](mailto:Kohl.Kanwit@maine.gov) or Michelle Mason Webber, Department of Marine Resources, 21 State House Station, Augusta, Maine 04333-0021, Tel: (207) 624-6570, Email: [Michelle.Mason@maine.gov](mailto:Michelle.Mason@maine.gov).

This notice can be viewed on the Department's website at:

[http://www.maine.gov/dmr/rm/public\\_health/closures/closedarea.htm](http://www.maine.gov/dmr/rm/public_health/closures/closedarea.htm)

This information is also recorded on our HOTLINE (207-624-7727 OR 1-800-232-4733)

Sincerely,



Michelle Mason Webber  
Shellfish Program Coordinator

12:56 PM  
(Effective Time)



# Maine Department of Marine Resources

## Pollution Area No. 40



Northern Morgan Bay, Union River Bay, Patten Bay, Heath Brook, Goose Cove  
(Towns of Surry, Ellsworth, Trenton)

08/30/12

